

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814



September 3, 1981

ALL-COUNTY INFORMATION NOTICE I-109-81

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: DISTINGUISHING CHILD PROTECTIVE SERVICES (CPS) FROM OUT-OF-HOME
CARE (OHC) CASES
REFERENCE:

As a result of recent CPS and OHC compliance reviews conducted by Family and Children's Services Program Operations Bureau staff, the Department of Social Services (DSS) has learned that inconsistencies exist among counties in distinguishing CPS from OHC cases in certain situations. Because CPS services are provided on a continuum which runs roughly parallel to the child's physical presence at home, while OHC services closely parallel the child's absence from home, the question arises as to when CPS stops and OHC begins.

Differing interpretations of the DSS Manual of Policy and Procedures (MPP), Section 30-204.22 have resulted in a lack of uniform practices. The regulations state:

"Children shall be considered in need of the services of this program (OHC)...if court action has removed the child from the custody of the parent or guardian or has limited the parent's or guardian's responsibility for the care and control of the child."

Some counties interpret these regulations to mean that OHC services are appropriate for children adjudicated as dependents under Welfare & Institutions Code (W&I) 300, but who remain in the parent(s)' or guardian(s)' home with county welfare department (CWD) supervision. Other counties view these children to fall within the purview of the CPS program, since they remain at home and are not receiving placement services, except perhaps of a temporary nature (e.g., emergency shelter care).

The example above is but one of a number of situations which have received varied interpretation. In an effort to clarify the programmatic boundaries between CPS and OHC, DSS has developed the following chart which highlights those living arrangements which were found to be most subject to interpretation. In each situation described below the appropriate service program designation is indicated.

GUIDELINES FOR DISTINGUISHING CPS FROM OHC CASES

In preparing this chart, it was determined that with the exception of legal guardianships, the legal status of the child and the source of funds for placement do not alter the following CPS/OHC differentiations:

CHILD'S LIVING ARRANGEMENT

APPROPRIATE PROGRAM

	<u>CPS</u>	<u>OHC</u>
1. Residing with either/both parents	X	
2. Placed in licensed foster, group home, institution, etc.*		X

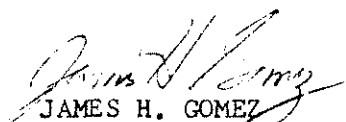
EXCEPTIONS:

A. Where detained in shelter care, up to court disposition	X	
B. When receiving respite care, per definition in Manual Sec. 10-010.9	X	
3. Residing with legal guardian		
A. When services provided because of an abuse/neglect referral	X	
B. When services provided as a condition for guardian to receive AFDC-FC		X
4. Placed with relatives subsequent to removal from a parent		X
5. Living with relatives who had been exercising parental role prior to dependency or voluntary services	X	
6. Infant living with minor when minor mother in OHC		X

* Children in a medical facility for short term care are classified according to the status of the location to which they will be released (e.g., release to parents equals CPS, release to foster parents equals OHC).

If you have questions about specific situations not addressed in this chart, please contact your Family and Children's Services Program Operations management consultant at (916) 445-7653.

Sincerely,


JAMES H. GOMEZ
Deputy Director

cc: CWDA